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REMARKS

The Examiner is thanked for his Office Action.

Applicant respectfully notes that the paragraph numbers in the application as filed and the paragraph numbers in the published application appear to differ slightly in some cases. When paragraph numbers are used herein, they refer to the published version of the application (US 2005/0071750).

Claims 1-19 are pending in the application.

Claims 1-19 have been rejected.

CLAIM REJECTIONS -- 35 U.S.C. §112

Claims 1-19 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner contends that the terms "symbol type spreadsheet" and "symbol type mark-up language file" are "used interchangeably throughout the claims" and have insufficient support in the specification to enable one of skill in the art to practice the invention.

Applicant notes that the claims were amended in the previous response for consistent use of language regarding the contents of the various spreadsheets, and the terms "symbol type spreadsheet" and "symbol type mark-up language file" does not appear at all in the claims, contrary to the Examiner's statement. It appears therefore that the claim amendments made in the paper filed May 12, 2006 either were not entered or not considered by the Examiner in making this rejection.

As claims 1-19 were rejected under 35 U.S.C. §112, first paragraph, on the basis of phrases that do not appear at all in the claims, these rejections are necessarily traversed on that basis.

Claims 1-19 were also rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner alleges that the metes and bounds of the term "symbol type" is unclear.

Paragraph 0065 describes, for example, that a symbol is a graphical representation of an object or relationship in a model. Applicant therefore believes that one of ordinary skill in the art would recognize that the claimed symbol type mark-up language spreadsheet is a mark-up language spreadsheet containing metamodel symbol types.

The term used throughout the claims, as amended in the previous response, is "symbol type mark-up language spreadsheet." While the specification unfortunately uses various terms to describe this element, such as symbol file, symbol XML file, Symbol XML spreadsheet, symbol XML sheet, and symbol type spreadsheet, those of skill in the art recognize that these refer to the same element, in that a spreadsheet is often simply referred to as a "sheet", a spreadsheet is typically stored as a file, and XML is a simply a specific type of mark-up language. The undersigned therefore asserts that the generic term "symbol type mark-up language spreadsheet" functions to particularly point out and distinctly claim this feature in such a way as to be understood to those of ordinary skill in the art at the time of the invention.

While the Examiner appears to be correct that the only specific use of the specific phrase "symbol type XML files" is found in paragraph 0062, Applicant respectfully notes that the abstract

as filed indicates that the "symbol type spreadsheet" corresponds to element 188. Element 188 is described in the specification as "oSymbolClip spreadsheet 188" (paragraph 0066). Figure 11 shoes the specific contents of an exemplary oSymbolClip spreadsheet 188.

Applicant therefore respectfully asserts that one of skill in the art could practice the invention by using the exemplary oSymbolClip spreadsheet 188 contents as shown in Figure 11 as the claimed symbol type mark-up language spreadsheet to practice at least one embodiment of the present invention. By providing specific exemplary code to implement the invention, the application does in fact enable one of skill in the art to practice the invention, and apprises those of skill in the art of the meaning of a symbol type mark-up language spreadsheet.

Paragraphs 0075 and 0076 describe the contents and use of the Symbol XML spreadsheet, and describes that oSymbolClip spreadsheet 188 provides the symbol XML text for the symbol XML file of the metamodel system.

> [0075] The next spreadsheet entitled Object View, the object symbol clip includes the title Symbol XML-Open and -Close. Contents of the Symbol XML spreadsheet, the XML code for an SDG metamodeling system of the present invention, takes the text appearing in the symbol clip spreadsheet and provides the symbols. This is specified in XML according to the SDG standard. The present invention will take the generic text and replace the generic closed text with the information with what the object sheet takes.
>
> [0076] Contents of the Symbol XML sheet provides a similar object, which is a rendering file for providing the particular type of object, the different type of tags that might be used, and other aspects. These three sheets are combined in a functional summing, or interdigitation, in the sense that various pieces are assembled in a particular order. Thus, in Objects spreadsheet 184 appears information about the particular object that is being generated. OXML spreadsheet 186 of FIG. 11 includes the generic XML text XML file for the metamodel

system in the sense that the pieces which the particular object are included in the XML spreadsheet. The generic and specific parts are used as appropriate with any object type. oSymbolClip spreadsheet 188 provides the symbol XML text for the symbol XML file of the metamodel system.

The Examiner also notes that a "clear and deliberate definition" of this term is not used in the specification. Of course, there is no requirement for an express definition, unless a term is used contrary to its ordinary meaning. The Examiner has not suggested that there is another "ordinary meaning" for "symbol type mark-up language spreadsheet."

All claims are believed to be clear and definite to those of skill in the art. If the Examiner still disagrees, the undersigned respectfully requests that the Examiner telephone to discuss the issue, and requests the Examiner's suggestions for acceptable language, to advance prosecution of this case.

The indefinitenss rejections are therefore traversed.

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CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at ***manderson@munckbutrus.com***.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 05-0765.

Respectfully submitted,

MUNCK BUTRUS P.C.

Date: 10/10/06

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